

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

June 17, 1992

Mr. Donald E. Cope, P.E., Law Clerk
Mr. Todd A. Hook, P.E., Project Manager
Industrial Compliance
9719 Lincoln Village Drive
Suite 310
Sacramento, CA 95827

Dear Messrs. Cope and Hook:

Thank you for your letter dated May 29, 1992 regarding your request for a regulatory determination of soil being stockpiled at the Southern Pacific Transportation Company (SPTCO) J Yard in Los Angeles, CA. In your letter, you request that EPA review the proposed use of the soil as landfill liner cover at the East Carbon Development Corporation (ECDC) Landfill in East Carbon, Utah and issue a letter stating that the use of soil does not constitute disposal of waste to land. You emphasize that an EPA determination is required to ensure consistency with federal law prior to a determination by the State of California that this use constitutes recycling under California law.

Because the answer to your questions may depend on case-specific factors, this determination should be made by Region IX in San Francisco, CA. Therefore, we are referring your letter to Jeff Zelikson, Director of the Waste Management Division of Region IX. For further information, Mr. Zelikson can be reached at (415) 744-1730.

Thank you again for your interest in this matter. If you have further questions regarding this referral, please contact Paul Borst of my staff at (202) 260-8551.

Sincerely,

David Bussard, Director
Characterization and Assessment Division

FaxBack # 11673